

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 24, 2010

Re: TCEQ DOCKET NO. 2010-1212-AIR; Executive Director's Hearing Request Agenda Backup for Martin Marietta Materials Southwest, Inc.'s application to the TCEQ for a New Source Review Authorization under Texas Clean Air Act (TCAA) § 382.0518 in Medina County, Texas.

Dear Ms. Castañuela:

Enclosed for filing in the above-referenced matter, please find the original and 7 copies of the Executive Director's Agenda Backup. The following exhibits are included:

Exhibit 1 - Technical Review;
Exhibit 2 - July 16, 2010 and November 19, 2009 Modeling Audits;
Exhibit 3 - Compliance History Report;
Exhibit 4 - Draft Permit Special Conditions;
Exhibit 5 - Maximum Allowable Emissions Rate Table; and
Exhibit 6 - Map showing proposed facility and hearing equestor locations

Please forward this filing to the Office of the General Counsel. If you have any questions, please call me at 239-6257.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ross W. Henderson", is written over a horizontal line.

Ross W. Henderson,
Staff Attorney
Environmental Law Division

Enclosure

cc: Mailing List

Construction Permit Source Analysis & Technical Review

Company	Martin Marietta Materials Southwest Inc	Permit Number	89957L001
City	Hondo	Project Number	149595
County	Medina	Account Number	N/A
Project Type	Initial	Regulated Entity Number	RN105776306
Project Reviewer	Mr. Larry Buller, P.E.	Customer Reference Number	CN603213315
Site Name	Rock Crushing Plant		

Project Overview

Martin Marietta Materials Southwest, Inc. has submitted a request to authorize a portable rock crushing facility near Hondo in Medina County. The portable facility will consist of one crusher, one screen, assorted conveyors and one diesel engine/generator set to provide power. The plant will have an authorized throughput of 500 tons per hour with an annual throughput of 4,380,000 tons per year and will operate 24 hours per day, 7 days per week and 52 weeks per year for a total of 8,760 hours per year. The purpose of the facility is to begin site construction work for the proposed Medina Rock & Rail facility (to be authorized under a new application at a later date).

Letters requesting a hearing have been received from four protestants.

Emission Summary

Air Contaminant	Current Allowable Emission Rates (tpy)	Proposed Allowable Emission Rates (tpy)	Change in Allowable Emission Rates (tpy)
PM	0.00	38.43	38.43
PM ₁₀	0.00	16.14	16.14
VOC	0.00	0.92	0.92
NO _x	0.00	31.19	31.19
CO	0.00	5.41	5.41
SO ₂	0.00	4.27	4.27

Compliance History Evaluation - 30 TAC Chapter 60 Rules

A compliance history report was reviewed on:	October 6, 2009
Compliance period:	July 31, 2004 to July 30, 2009
Site rating & classification:	3.01 [Average by Default]
Company rating & classification:	2.18 [Average]
If the rating is 40<RATING<45, what was the outcome, if any, based on the findings in the formal report:	NA
Has the permit changed on the basis of the compliance history or rating?	No

Public Notice Information - 30 TAC Chapter 39 Rules

Rule Citation	Requirement
39.403	Date Application Received: July 30, 2009
	Date Administratively Complete: August 7, 2009
	Small Business Source? No
	Date Leg Letters mailed: August 7, 2009
39.603	Date Published: August 13, 2009
	Publication Name: Hondo Anvil Herald
	Pollutants: particulate matter including particulate matter less than 10 microns in diameter, organic compounds, carbon monoxide, sulfur dioxides and nitrogen oxides

EXHIBIT

Construction Permit Source Analysis & Technical Review

Permit No. 89957L001
Page 2

Regulated Entity No. RN105776306

Rule Citation	Requirement	
	Date Affidavits/Copies Received:	August 19, 2009
	Is bilingual notice required?	No, the company verifies that a bilingual program is not required in the district by the Texas Education Code
	Language:	NA
	Date Published:	NA
	Publication Name:	NA
	Date Affidavits/Copies Received:	NA
	Date Certification of Sign Posting / Application Availability Received:	September 15, 2009
39.604	Public Comments Received?	Yes (4)
	Hearing Requested?	Yes (4)
	Meeting Request?	Yes (1)
	Date Meeting Held:	Meeting not held
	Request(s) withdrawn?	No
	Date Withdrawn:	NA
	Consideration of Comments:	No changes were made to the permit based on comments received
	Is 2nd Public Notice required?	Yes
39.419	Date 2nd Public Notice Mailed:	December 30, 2009
	Preliminary Determination:	Issue permit
39.603	Date Published:	January 7, 2010
	Publication Name:	Hondo Anvil Herald
	Pollutants:	particulate matter including particulate matter less than 10 microns in diameter, organic compounds, carbon monoxide, sulfur dioxides and nitrogen oxides
	Date Affidavits/Copies Received:	February 9, 2010
	Is bilingual notice required?	No
	Language:	NA
	Date Published:	NA
	Publication Name:	NA
	Date Affidavits/Copies Received:	NA
	Date Certification of Sign Posting / Application Availability Received:	February 9, 2010
	Public Comments Received?	No
	Meeting Request?	No
	Date Meeting Held:	NA
	Hearing Request?	No
	Date Hearing Held:	
	Request(s) withdrawn?	No
	Date Withdrawn:	NA
	Consideration of Comments:	
39.421	Date RTC, Technical Review & Draft Permit Conditions sent to OCC:	April 27, 2010

Construction Permit Source Analysis & Technical Review

Permit No. 89957L001
Page 3

Regulated Entity No. RN105776306

Rule Citation	Requirement
	Request for Reconsideration Received?
	Final Action: Issue Permit
	Are letters Enclosed? No

Construction Permit & Amendment Requirements - 30 TAC Chapter 116 Rules

Rule Citation	Requirement
116.111(a)(2)(G)	Is the facility expected to perform as represented in the application? Yes
116.111(a)(2)(A)(i)	Are emissions from this facility expected to comply with all TCEQ air quality Rules & Regulations, and the intent of the Texas Clean Air Act? Yes
116.111(a)(2)(B)	Emissions will be measured using the following method: Recordkeeping
	Comments on emission verification: Records will be kept of throughput and hours of operation, from which particulate matter emissions and products of combustion can be calculated.
116.111(a)(2)(D)	Subject to NSPS? Yes
	Subparts A & OOO [Standards of Performance for Nonmetallic Mineral Processing Plants] The applicant states that the subject equipment was manufactured prior to the April 28, 2009 effective date of the rule change and after the original 1983 date. All affected facilities have been tested.
116.111(a)(2)(E)	Subject to NESHAP? No
116.111(a)(2)(F)	Subject to NESHAP (MACT) for source categories? No
116.111(a)(2)(H)	Nonattainment review applicability: The facilities will not be located in a non-attainment area. The facilities are portable and, thus, could potentially relocate to a non-attainment area. Due to the NOx emissions, a condition has been added to the Movement of a Portable Facility condition stating that these facilities cannot be relocated to a site that is subject to the requirements for Prevention of Significant Deterioration and Nonattainment under 30 TAC 116 Subchapter B, Divisions 5 and 6.
116.111(a)(2)(I)	PSD review applicability: The facilities are not a major source of air contaminant emissions and do not contribute to significant deterioration of air quality. However, due to the NOx emissions, a condition has been added to the Movement of a Portable Facility condition stating that these facilities cannot be relocated to a site that is subject to the requirements for Prevention of Significant Deterioration and Nonattainment under 30 TAC 116 Subchapter B, Divisions 5 and 6.
116.111(a)(2)(L)	Is Mass Emissions Cap and Trade applicable to the new or modified facilities? No If yes, did the proposed facility, group of facilities, or account obtain allowances to operate: NA
116.140 - 141	Permit Fee: \$900 Fee certification: 582E000056528

Title V Applicability - 30 TAC Chapter 122 Rules

Rule Citation	Requirement
122.10(13)	Title V applicability: Not applicable; not a major source for Title V.
122.602	Periodic Monitoring (PM) applicability: Not applicable since not major for Title V.
122.604	Compliance Assurance Monitoring (CAM) applicability: Not applicable since not major for Title V.

Construction Permit Source Analysis & Technical Review

Permit No. 89957L001

Page 4

Regulated Entity No. RN105776306

Request for Comments

Received From	Program/Area Name	Reviewed By	Comments
Region:	13	Edgar Sawyer	None
City:	Hondo	NA	
County:	Medina	NA	
Toxicology:		NA	
Compliance:	APD	Larry Buller	
Legal:		NA	
Comment resolution and/or unresolved issues:		No unresolved comments or issues	

Process/Project Description

Material is initially unloaded to the feed hopper via front-end loader or truck. The material is then transferred from the hopper to a conveyor belt and the crusher which transfers the material to a second conveyor belt. This conveyor belt transfers the material to the screen. Oversized material is returned from the top deck of the screen via a conveyor for re-crushing. Approximately 15% of the material is sized by the second screen deck and is transferred to a stockpile via a conveyor. Approximately 15% of the material is sized by the third screen of the deck and is transferred to a stockpile via a conveyor. The remaining material (~60%) is transferred from the underside of the screen to a conveyor belt, which transfers this final material to a stacker for stockpiling in the base pile.

Pollution Prevention, Sources, Controls and BACT- [30 TAC 116.111(a)(2)(C)]

Emission control measures for this facility will meet or exceed BACT for rock crushing plants of this type.

Water sprays will be located at the inlet and exit of the crusher, at the screen and at all material transfer points. The water sprays will be used to ensure compliance with all TCEQ rules and regulations. A functional water truck will be on site at all times to control emissions from active haul roads, in-plant roads and work areas as well as all stockpile areas. These measures meet BACT and Best Management Practices for these types of plants.

Impacts Evaluation - 30 TAC 116.111(a)(2)(J)

Was modeling conducted? Yes	Type of Modeling:	Screen3 (Version 96043)
Will GLC of any air contaminant cause violation of NAAQS?		No
Is this a sensitive location with respect to nuisance?		No, per site review by Jeanette Salazar
[§116.111(a)(2)(A)(ii)] Is the site within 3000 feet of any school?		No
Additional site/land use information: Surrounding area is agricultural and ranchland		

Summary of Modeling Results

Site-wide air dispersion modeling was conducted to evaluate PM_{10} concentration from all on-site processes. At this location, the facilities will be located 2,650 ft. (808 m) from the property line with the stockpiles located 1,972 ft. (601 m) from the property line.

Screen3 (Version 96043) was used to demonstrate compliance with the PM_{10} NAAQS 24-hour and annual requirements at the site. The PM_{10} NAAQS 24-hour and annual evaluations were used as a surrogate for determination of compliance with the $PM_{2.5}$ NAAQS. The methodology used in the modeling and the results of the model were audited by the TCEQ Air Dispersion Modeling Team.

Results of the modeling evaluation of PM_{10} concentration indicate that for the 24-hour time averaging period, the maximum ground level concentration (GLC_{max}) was predicted to be 41 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). When this concentration was added to the 24-hour time averaged background concentrations from Region 13 of $60 \mu\text{g}/\text{m}^3$, the resultant total 24-hour GLC_{max} concentration of PM_{10} was determined to be $101 \mu\text{g}/\text{m}^3$ which is well below the 24-hour NAAQS limitation of $150 \mu\text{g}/\text{m}^3$. The annual time averaged GLC_{max} concentration of PM_{10} was determined to be $8 \mu\text{g}/\text{m}^3$ which, when added to the Region 13 annual averaged background concentration of $20 \mu\text{g}/\text{m}^3$ resulted in a total annual average PM_{10} concentration of $28 \mu\text{g}/\text{m}^3$. This is also below the annual NAAQS limitation of $50 \mu\text{g}/\text{m}^3$.

**Construction Permit
Source Analysis & Technical Review**

Permit No. 89957L001

Regulated Entity No. RN105776306

Page 5

Thus, the site was determined to be in compliance with the NAAQS requirements for PM₁₀.

Emissions of NO₂ were modeled using the algorithm that NO₂ is 75% of the NO_x emissions. The modeling results indicated that at a 1-hour averaging time, the GLCmax concentrations would be 22 µg/m³ which, when added to a background concentration of 124 µg/m³ resulted in a total GLCmax concentration of 146 µg/m³. This is below the NAAQS 1-hour time averaged limitation of 188 µg/m³. Similarly, the annual time averaged GLCmax concentration was found to be 2 µg/m³ with a background concentration of 28 µg/m³ yielding a total GLCmax concentration for the annual time averaging period of 30 µg/m³. This value is significantly below the NAAQS annual time averaged limitation of 100 µg/m³. The 1-hour and annual NO₂ background concentrations were obtained from the EPA AIRS monitor 480290046 located at 615 East Houston Street, San Antonio, Bexar County. The highest value from 2007-2009 was used for the 1-hour and annual values. This monitor would be conservative for Medina County since the population and NO_x emissions for Bexar County are much greater than the population and NO_x emissions for Medina County.

Concentrations of other products of combustion were deemed minimal and, thus, were not evaluate.

Permit Concurrence and Related Authorization Actions

Is the applicant in agreement with special conditions?	Yes
Company representative(s):	Jason Reed, Sr. Environmental Engineer
Contacted Via:	e-mail
Date of contact:	December 11, 2009
Other permit(s) or permits by rule affected by this action:	None
List permit and/or PBR number(s) and actions required or taken:	NA

Project Reviewer

Date

Team Leader/Section Manager/Backup

Date

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Larry Buller, P.E.
Mechanical/Agricultural/Construction Section

Date: July 16, 2010

Thru: *DM* Daniel Menendez, Team Leader
Air Dispersion Modeling Team (ADMT)

From: Justin Cherry *JC*
ADMT

Subject: Second Modeling Audit – Martin Marietta Materials Southwest Inc (RN105776306)

1.0 Project Identification Information.

Permit Application Number: 89957L001

NSR Project Number: 149595

ADMT Project Number: 3304

NSRP Document Number: 397909

County: Medina

ArcReader Published Map: \\Msgiswrk\APD\MODEL PROJECTS\3304\3304.pmf

Modeling Report: Submitted by Arias & Associates, June 2010, on behalf of Martin Marietta Materials Southwest Inc. This is the second modeling audit for this NSR project number (NSRP document number 388202). This modeling audit was conducted to review the 1-hr and annual NO₂ modeling demonstration.

2.0 Report Summary. The modeling analysis is acceptable, as supplemented by the ADMT. The results are summarized below.

Table 1: Modeling Results for Minor NSR NAAQS AOI			
Pollutant	Averaging Time	GLCmax (µg/m ³)	De Minimis (µg/m ³)
NO ₂	1-hr	22	7.5
	Annual	2	1

The annual maximum predicted concentration was derived by multiplying the 1-hr maximum predicted concentrations by 0.08.

The 1-hr de minimis value listed in Table 1 represents an interim value for 1-hour NO₂.

Table 2: Total Concentrations for Minor NSR NAAQS (Concentrations > De Minimis)					
Pollutant	Averaging Time	GLCmax (µg/m ³)	Background (µg/m ³)	Total Conc. = [Background + GLCmax] (µg/m ³)	Standard (µg/m ³)
NO ₂	1-hr	22	124	146	188

EXHIBIT

2

Larry Buller, P.E.

Page 2 of 2

July 16, 2010

Second Modeling Audit – Martin Marietta Materials Southwest Inc

Table 2. Total Concentrations for Minor NSR NAAQS (Concentrations > De Minimis)					
Pollutant	Averaging Time	GLCmax ($\mu\text{g}/\text{m}^3$)	Background ($\mu\text{g}/\text{m}^3$)	Total Conc. = [Background + GLCmax] ($\mu\text{g}/\text{m}^3$)	Standard ($\mu\text{g}/\text{m}^3$)
NO ₂	Annual	2	28	30	100

Screening background concentrations for NO₂ were used in the modeling demonstration. The applicant did not provide justification for the use of these concentrations; however, the applicant provided several background monitor concentrations for TCEQ Region 13 for 2009. The ADMT reviewed the monitor with the highest concentration in the region and supplemented the background concentrations in Table 2. The 1-hr and annual NO₂ background concentrations were obtained from the EPA AIRS monitor 480290046 located at 615 East Houston Street, San Antonio, Bexar County. The highest value from 2007-2009 was used for the 1-hr and annual values. This monitor would be conservative for Medina County since the population (1,651,448) and NO_x emissions (56,093 tons for 2005) for Bexar County are much greater than the population (44,728) and NO_x emissions (2,593 tons for 2005) for Medina County.

3.0 Land Use. Rural dispersion coefficients and flat terrain were used in the modeling analysis. In addition, elevated terrain was used for a select portion to the northeast of the source to account for elevations higher than the stack height. These selections are consistent with the topographic map and aerial photography.

4.0 Modeling Emissions Inventory. The modeled emission point source parameters and rate were consistent with the modeling report. The source characterization used to represent the source was appropriate.

A NO_x to NO₂ conversion factor of 0.75 was applied to the predicted NO_x concentration.

Maximum allowable hourly emission rates were used for the short-term and annual averaging time analyses.

5.0 Building Wake Effects (Downwash). Downwash was not applicable since there are no structures on-site that would impact dispersion.

6.0 Meteorological Data. The full meteorology option was chosen.

7.0 Receptor Grid. The number of receptors and distance from the source were appropriate. The engine will be located approximately 2,862 feet from the nearest property line. The automated distance array was used for distances from 2,862 feet to 9,843 feet. In addition, discrete receptors were placed at points along representative elevation profiles (to the northeast) for elevations above stack height.

8.0 Model Used and Modeling Techniques. SCREEN3 (Version 96043) was used.

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Larry Buller, P.E. Date: November 19, 2009
 Mechanical/Agricultural/Construction Section

Thru: *DM* Daniel Menendez, Team Leader
 Air Dispersion Modeling Team (ADMT)

From: Jeff Eads *JE*
 ADMT

Subject: Modeling Audit – Martin Marietta Materials Southwest INC (RN105776306)

1.0 Project Identification Information.

Permit Application Number: 89957L001

NSR Project Number: 149595

ADMT Project Number: 3186

NSRP Document Number: 388202

County: Medina

ArcReader Published Map: \\Mgiswrk\APD\MODEL PROJECTS\3186\3186.pmf

Modeling Report: Submitted by Arias & Associates, October 2009, on behalf of Martin Marietta Materials Southwest INC.

2.0 Report Summary. The modeling analysis is acceptable, as supplemented by the ADMT. The results are summarized below.

Table 1. Modeling Results for Minor NSR NAAQS AOI			
Pollutant	Averaging Time	GLCmax ($\mu\text{g}/\text{m}^3$)	De Minimis ($\mu\text{g}/\text{m}^3$)
PM ₁₀	24-hr	41	5
	Annual	8	1

The 24-hr and annual maximum predicted concentrations were derived by multiplying the 1-hr maximum predicted concentrations by 0.4 and 0.08, respectively.

Table 2. Total Concentrations for Minor NSR NAAQS (Concentrations > De Minimis)					
Pollutant	Averaging Time	GLCmax ($\mu\text{g}/\text{m}^3$)	Background ($\mu\text{g}/\text{m}^3$)	Total Conc. = [Background + GLCmax] ($\mu\text{g}/\text{m}^3$)	Standard ($\mu\text{g}/\text{m}^3$)
PM ₁₀	24-hr	41	60	101	150
	Annual	8	20	28	50

Larry Buller, P.E.

Page 2 of 2

November 19, 2009

Modeling Audit – Martin Marietta Materials Southwest INC

The screening background concentrations for PM_{10} from TCEQ Region 13 were used in the modeling demonstration.

- 3.0 Land Use. Rural dispersion coefficients and flat terrain were used in the modeling analysis. These selections are consistent with the topographic map and aerial photography.
- 4.0 Modeling Emissions Inventory. The modeled emission area source parameters and rates were consistent with the modeling report. The source characterizations used to represent the sources were appropriate except for EPN EP-7.

The applicant evaluated the PM_{10} emissions from an engine, EPN: EP-7, with other plant sources as an area source without providing any technical justification. However, after the ADMT conducted model runs using the Table 1(a) data for EP-7, the applicant's approach was determined to be conservative.

An adjustment factor of 0.6 was applied to the predicted concentrations of low-level fugitive sources. This is consistent with TCEQ guidance for EPNs EP-1 – EP-6. As noted above, the applicant evaluated the PM_{10} emissions from an engine with other plant sources as an area source. As a result, the applicant inappropriately applied an adjustment factor of 0.6 to the predicted concentrations associated with EPN EP-7. However, model runs conducted by the ADMT showed this to be insignificant and the results will not be affected.

Maximum allowable hourly emission rates were used for the short-term and annual averaging time analyses.

- 5.0 Building Wake Effects (Downwash). Building downwash is not applicable for area source modeling.
- 6.0 Meteorological Data. The full meteorology option was chosen.
- 7.0 Receptor Grid. The number of receptors and distance from the sources were appropriate. The stockpile area will be located at least 601 meters from the nearest property line. The plant area will be located at least 808 meters from the nearest property line.
- 8.0 Model Used and Modeling Techniques. SCREEN3 (Version 96043) was used.

The stockpile and plant areas were modeled separately and the maximum predicted concentrations were added together independent of time and space.

Compliance History Report

PENDING

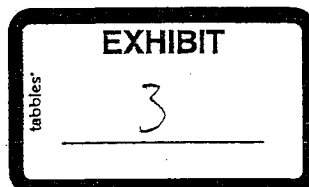
Customer/Respondent/Owner-Operator:	CN603213315 Martin Marietta Materials Southwest, Inc.	Classification: AVERAGE	Rating: 2.44
Regulated Entity:	RN105776306 MEDINA ROCK & RAIL	Classification: AVERAGE	Site Rating: 3.01
ID Number(s):	AIR NEW SOURCE PERMITS PERMIT		89957L001
Location:	APPROXIMATELY 10 MI N OF HWY 90 ON FM 462 FROM HONDO TO PRIVATE RD 322 TAKE PRIVATE RD 322 W TO MINE LEASE BOUNDARY		
TCEQ Region:	REGION 13 - SAN ANTONIO		
Date Compliance History Prepared:	September 22, 2010		
Agency Decision Requiring Compliance History:	Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.		
Compliance Period:	July 31, 2004 to July 30, 2009		
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History			
Name:	Larry Buller	Phone:	239 - 1890

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? No
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator?
N/A
4. If Yes, who was/were the prior owner(s)/operator(s)?
N/A
5. When did the change(s) in owner or operator occur?
N/A
6. Rating Date: 9/1/2010 Repeat Violator: NO

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.
 - B. Any criminal convictions of the state of Texas and the federal government.
N/A
 - C. Chronic excessive emissions events.
N/A
 - D. The approval dates of investigations. (CCEDS Inv. Track. No.)
N/A
 - E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
N/A
 - F. Environmental audits.
N/A
 - G. Type of environmental management systems (EMSs).
 - H. Voluntary on-site compliance assessment dates.
N/A
 - I. Participation in a voluntary pollution reduction program.
N/A
 - J. Early compliance.
N/A
- Sites Outside of Texas
N/A



SPECIAL CONDITIONS

Permit Number 89957L001

EMISSION LIMITATION

1. This permit covers only those sources of emissions listed in the attached table entitled "Emission Sources - Maximum Allowable Emission Rates," and those sources are limited to the emission limits and other conditions specified in the attached table.

FUEL SPECIFICATIONS

2. Fuel for the 475 hp Caterpillar diesel engine/generator shall be pipeline-quality, sweet natural gas or liquid fuel with a maximum sulfur content of no more than 0.05 percent by weight and shall not consist of a blend containing waste oils or solvents.

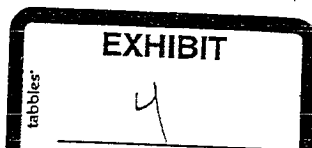
Use of any other fuel shall require prior written approval of the Executive Director of the Texas Commission on Environmental Quality (TCEQ). Upon request by the Executive Director of the TCEQ or any local air pollution control program having jurisdiction, the holder of this permit shall provide a sample and/or an analysis of the fuel(s) utilized in this plant or shall allow air pollution control program representatives to obtain a sample for analysis.

FEDERAL APPLICABILITY

3. All equipment shall comply with all requirements of the U.S. Environmental Protection Agency (EPA) regulations in Title 40 Code of Federal Regulations Part 60 (40 CFR Part 60), Subparts A and OOO on Standards of Performance for New Stationary Sources (NSPS) promulgated for Nonmetallic Mineral Processing Plants except as otherwise represented in the permit application.

OPACITY/VISIBLE EMISSION LIMITATIONS

4. No visible fugitive emissions from the crusher, screen, engine/generator set, transfer points on belt conveyors, material storage or feed bins, stockpiles, or internal roads and work areas shall leave the property. Visible emission is defined as emissions that shall not exceed a cumulative 30 seconds in duration in any six-minute period as determined using EPA Test Method (TM) 22. If this condition is violated, additional controls or process changes may be required to limit visible particulate matter (PM) emissions.



5. Opacity of emissions from any transfer point on belt conveyors or any screen shall not exceed 10 percent and from any crusher shall not exceed 15 percent, averaged over a six-minute period as determined by EPA TM 9 or equivalent.

OPERATIONAL REPRESENTATIONS

6. As represented by the applicant, the following shall occur:
 - A. Production at this facility is limited to 500 tons per hour and 4,380,000 tons per year (tpy) in any rolling 12-month period with the crusher limited to 300 tons per hour and 2,628,000 tpy in any rolling 12-month period.
 - B. The facility is authorized to operate 24 hours per day, 7 days per week and 52 weeks per year for a total of 8,760 hours per year.
 - C. Permanently mounted spray bars shall be installed at the inlet and outlet of all crushers, at all shaker screens, and at all material transfer points. All water spray systems shall be operated as necessary to maintain compliance with TCEQ rules and regulations.
 - D. A functional water truck shall be maintained on site at all times to spray all stockpiles, in-plant roads, traffic areas and active work areas with water and/or environmentally sensitive chemicals upon detection of visible particulate emissions to maintain compliance with all TCEQ rules and regulations.
 - E. Stockpile heights are site specific and shall not exceed 45 feet in height unless approved by the TCEQ Regional Office and/or any appropriate local air programs with delegation.
7. All stationary equipment authorized by this permit shall be prominently marked to show the assigned TCEQ regulated entity number or permit number, excluding the location suffix (example: L001). These markings must be clearly visible. These identification markings shall be removed from the equipment when it is no longer authorized by the TCEQ.

MOVEMENT OF A PORTABLE FACILITY

8. The following are requirements for movement of this portable plant:

A. Prior to moving permitted plants or sources to any new site (even if authorization for the site has previously been granted), the holder of the permit shall request relocation or change of location authorization and obtain written approval from a delegated representative of the TCEQ Executive Director. Additionally, once construction has begun at any site, the applicant shall notify the appropriate TCEQ Regional Office and local air pollution control programs in writing of the actual dates of start of construction and operation.

B. The appropriate TCEQ Regional Office may approve the following types of relocations:

- (1) A permitted plant and associated equipment to be located temporarily* in the right-of-way, or contiguous to the right-of-way, of a public works project, or

** Note: A temporary plant is one that occupies a designated site for not more than 180 consecutive days or supplies materials for a single project (single contract or same contractor for related project segments, but not other unrelated projects.)*

- (2) A portable plant moving to a site where a portable plant has been located at the site at any time during the previous two years.

C. If the holder of the permit meets either 8B(1) or 8B(2) above, then they shall submit a request letter to the appropriate TCEQ Regional Office prior to relocating. After evaluating the relocation request, the TCEQ Regional Office will send a written response to the permit holder. The permit holder shall submit the following information to the TCEQ Regional Office:

- (1) Company name, address, company contact, and telephone number;
- (2) Copy of existing permit conditions and the maximum allowable emission rates table (MAERT) that are in effect for the permitted facilities;
- (3) Regulated entity number (RN), customer reference number (CN), and applicable permit or registration numbers, and if available, TCEQ account number;
- (4) Location the facility is moving from (current location);
- (5) Location description of the proposed site (city, county, and exact physical location description);

- (6) A scaled plot plan that identifies the location of all equipment and stockpiles; and also indicates the required distances to the property lines can be met;
 - (7) A scaled area map that identifies the distance and direction to the closest off-property receptor (if required) and clearly indicates how the facility is contiguous or adjacent to a public works project right of way (if required);
 - (8) Proposed date for start of construction and expected date for start of operation;
 - (9) Expected time period at the proposed site;
 - (10) If applicable, the permit or registration number of the facility that was located at the proposed site during the last two years and the date the facility was last located there;
 - (11) The permit or registration number of the facility that has accomplished public notice at the proposed site and the date notice was published; and
 - (12) The time (days, months, and years) the facility operated at the site being vacated.
- D. To move a permitted plant and associated equipment to a site that does not meet either 8B(1) or 8B(2), the holder of this permit shall submit a change of location request to the TCEQ Air Permits Division, Air Permits Initial Review Team, MC-161, P.O. Box 13087, Austin, Texas 78711-3087 using Form PI-1, along with all supporting documents. In accordance with the Texas Health and Safety Code § 382.056, the applicant may be required to publish public notice prior to being authorized for a change of location to a new site.
- E. All relocation and change of location applications shall comply with the following conditions:
- (1) This rock crushing plant and all associated sources shall not be relocated to a site that is subject to the requirements for Prevention of Significant Deterioration and Nonattainment permits under Title 30 Texas Administrative Code 116, Subchapter B, Divisions 5 and 6.
 - (2) The rock crushing plant and all associated sources (screens, transfer points on belt conveyors, feed bins, and work areas that are only associated with the facility) shall be located a minimum of 2,650 feet from the property line and at least 550 feet from any other rock crushing plant, concrete batch plant, or hot mix asphalt plant.

- (3) Any rock crusher that is crushing concrete shall be located a minimum of 440 yards (1/4 mile) from any single or multi family residence, school, or place of worship, unless the crusher is:
 - a. at a location authorized for crushing concrete on or prior to September 1, 2001; or
 - b. at a location that satisfies this distance requirement at the time the initial application is filed with the TCEQ, and a single or multi family residence, school, or place of worship is subsequently built or put to use within 440 yards of the facility; or
 - c. engaged, for not more than 180 days, in crushing concrete produced by the demolition of a structure at the location of the structure and the concrete is being crushed primarily for use at that location.
- (4) Stockpiles and vehicle traffic areas (except for entrance and exit to the site) shall be located at least 25 feet from any property line. In lieu of meeting the distance requirements for roads and stockpiles, the following must occur:
 - a. Roads and other traffic areas within the buffer distance must be bordered by dust suppressing fencing or other dust suppressing barrier along all traffic routes or work areas. These borders shall be constructed to a height of at least 12 feet; and
 - b. Stockpiles within this buffer distance must be contained within a three-walled bunker which extends at least two feet above the top of the stockpile.

DETERMINATION OF COMPLIANCE

- 9. Upon initial issuance, the permit holder shall comply with New Source Performance Standards Subpart A and OOO requirements within the specified time frame. Requests for additional time to perform observations shall be submitted in writing to the TCEQ Regional Office. Requests for additional time to comply with the applicable requirements of 40 CFR Part 60 require EPA approval and shall be submitted in writing to the TCEQ.

10. Upon request of the TCEQ Regional Director having jurisdiction, the holder of this permit shall perform ambient air monitoring, or other testing as required to establish the actual pattern and quantities of air contaminants being emitted into the atmosphere. The tests shall be performed during normal operation of the facilities and shall be performed in accordance with accepted TCEQ practices and procedures.

RECORDKEEPING REQUIREMENTS

11. In addition to the record keeping requirements specified in General Condition No. 7 and 40 CFR Part 60, Subparts A and OOO, the following records shall be kept and maintained on-site for a rolling 24-month period:
 - A. Daily, monthly and annual amounts of materials processed, summarized in tons per hour, tons per month and tons per year;
 - B. Hours of operation;
 - C. Road cleaning, application of road dust control, or road maintenance for dust control;
 - D. Engine fuel usage, including type of fuel, quantity of fuel used, and hours of engine operation;
 - E. Records of all repairs and maintenance of abatement systems; and
 - F. Inspections of abatement devices shall be recorded as they occur.

Dated

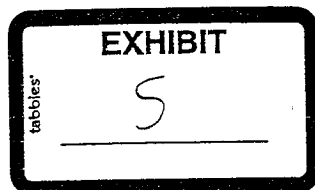
EMISSION SOURCES - MAXIMUM ALLOWABLE EMISSION RATES

Permit Number 89957L001

This table lists the maximum allowable emission rates and all sources of air contaminants on the applicant's property covered by this permit. The emission rates shown are those derived from information submitted as part of the application for permit and are the maximum rates allowed for these facilities. Any proposed increase in emission rates may require an application for a modification of the facilities covered by this permit.

AIR CONTAMINANTS DATA

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates	
			lb/hr	TPY
EP-3	Crusher (4)	PM	0.36	1.58
		PM ₁₀	0.16	0.71
EP-4	Screen (4)	PM	3.75	16.43
		PM ₁₀	1.31	5.72
LDGFUG	Loading/Unloading (4)	PM	0.07	0.30
		PM ₁₀	0.03	0.14
MHFUG	Material Handling (4 and 5)	PM	1.17	5.12
		PM ₁₀	0.43	1.88
SPFUG	Stockpiles (4)	PM	---	14.54
		PM ₁₀	---	7.23
EP-7	475-hp Caterpillar Diesel Engine	PM ₁₀	0.10	0.46
		NO _x	7.12	31.19
		CO	1.24	5.41
		SO ₂	0.97	4.27
		VOC	0.21	0.92



EMISSION SOURCES - MAXIMUM ALLOWABLE EMISSION RATES

- (1) Emission point identification - either specific equipment designation or emission point number from a plot plan.
- (2) Specific point source names. For fugitive sources, use an area name or fugitive source name.
- (3)

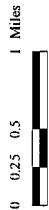
PM	-	particulate matter, suspended in the atmosphere, including PM ₁₀ and PM _{2.5}
PM ₁₀	-	particulate matter equal to or less than 10 microns in diameter
PM _{2.5}	-	particulate matter equal to or less than 2.5 microns in diameter
NO _x	-	total oxides of nitrogen
CO	-	carbon monoxide
SO ₂	-	sulfur dioxide
VOC	-	volatile organic compounds as defined in Title 30 Texas Administrative Code § 101.1
- (4) Fugitive emissions are an estimate only.
- (5) Includes conveyor drops EP-2 and EP-5 and initial drop off screen EP-4.

Dated

Application by Martin Marietta Materials Southwest, Inc. for Air Quality Permit No. 89957L001
TCEQ Docket No. 2010-1212-AIR
Map Requested by TCEQ Office of Legal Services
for Commissioners' Agenda



Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087
September 9, 2010



Projection: Texas Statewide Mapping System
(TSMS)
Scale 1:79,000

Legend

- Crushing Plant Area
- Requestor's Property
- Lease Boundary

Source: The location of the facility was provided by the TCEQ Office of Legal Services (OLS). OLS obtained the site location information from the applicant and the requestor information from the requestor. The vector data are U.S. Census Bureau 1992 TIGER/Line Data (1:100,000). The background of this map is a one-half meter photograph from the 2008 Texas Orthorectified Project.

This map depicts the following:
(1) The approximate location of the facility. This is labeled "Crushing Plant Area".
(2) The approximate plant boundary. This is labeled "Lease Boundary".
(2) Circle and arrow depicting 1-mile radius. This is labeled "1-Mile Radius".

This map was generated by the Information Resources Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Information Resource Division at (512) 239-4890.

MCDougherty CTR-32967

